

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MADELINE LECOQ,)
Plaintiff,)
) Civil Action No. 20-11888
v.)
) COMPLAINT
CHAPPAQUIDDICK FERRY, INC. as owners)
of the M/V ON TIME II,)
Defendant.)

THE PARTIES

1. The plaintiff, Madeline LeCoq, resides in Edgartown, Massachusetts and at all times hereinafter referred to, was serving as a member of the crew of the M/V ON TIME II.
2. The defendant, CHAPPAQUIDDICK FERRY, INC., is a duly organized corporation existing under the laws of Massachusetts, and at all times hereinafter referred to, owned, operated and/or controlled the M/V ON TIME II which did business in the Commonwealth of Massachusetts and employed the plaintiff.

JURISDICTION

3. This is a case of maritime jurisdiction pursuant to 28 U.S.C. § 1333(1).

FACTUAL ALLEGATIONS

4. On or about December 3, 2017 the plaintiff was in the employ of the defendant as a seaman and member of the crew of the M/V ON TIME II.
5. The Plaintiff was jumpstarting a Jeep on board the vessel and grabbed the jumpbox that was located on the Jeep's engine. Ms. LeCoq lifted the pack and injured her shoulder due to the weight of the jumpbox.

COUNT I JONES ACT (Negligence)

6. Paragraphs 1-5 are realleged and incorporated herein.
7. The injuries sustained by the plaintiff were caused by the fault of the defendant, its agents, or servants as follows:
 - a) Failure to use due care to provide and maintain a seaworthy vessel with safe and proper appliances;
 - b) Failure to use due care to make reasonable and periodic inspection of said vessel, its equipment and appliances;
 - c) Failure to use due care to furnish the plaintiff with a reasonably safe place in which to perform his work;
 - d) Failure and negligence of fellow employees;
 - e) Failure and negligence in other respects that will be shown at the trial.
8. As a result of the said injuries, the plaintiff has suffered great pain of body and anguish of mind, lost a great deal of time from her usual work, incurred medical and hospital

expenses, and has suffered and will suffer other damages as will be shown at the trial.

9. This cause of action is brought under the Merchant Marine Act of 1920, commonly called the Jones Act. 46 U.S.C App. § 30104.

REQUEST FOR RELIEF

- a) Under Count I, that this court enters judgment in favor of the plaintiff against the defendant.
- b) For such other relief as this court deems appropriate.

COUNT II
GENERAL MARITIME LAW
(Unseaworthiness)

10. Paragraphs 1-9 are realleged and incorporated herein.
11. The injuries sustained by the plaintiff were caused by the unseaworthiness of the defendant's vessel, its appliances, appurtenances and equipment.
12. As a result of the said injuries, plaintiff has suffered great pain of body and anguish of mind, lost a great deal of time from her usual work, incurred medical and hospital expenses, and has suffered and will continue to suffer other damages as will be shown at trial.
13. This cause of action is brought under the General Maritime Law based upon unseaworthiness and is for the same cause of action as Count I.

REQUEST FOR RELIEF

- a) Under Count II, that this court enters judgment in favor of the plaintiff against the defendant.
- b) For such other relief as this court deems appropriate.

COUNT III
GENERAL MARITIME LAW
(Maintenance and Cure)

14. Paragraphs 1-13 are realleged and incorporated herein.
15. As a result of her injuries, the plaintiff has incurred expenses for her maintenance and cure and will continue to do so all to her damage.

REQUEST FOR RELIEF

- a) Under Count III, that this court enter judgment in favor of the plaintiff against the defendant.
- b) For such other relief as this court deems appropriate.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS.

Respectfully submitted
For Plaintiff,

/s/ Brian Keane

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